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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,413	06/07/2001	David sevack	GGD-104	7296

7590 12/11/2003

Mr. Anthony M. Lorusso
Lorusso & Loud
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Boston, MA 02109

EXAMINER

NGUYEN, LAM S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,413

Applicant(s)

SEVACK ET AL.

Examiner

LAM S NGUYEN

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Claims 11-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claims, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandellos (US 5861633).

Referring to claim 1:

Mandellos discloses an ultra-violet lamp and reflector/shield assembly comprising:

a reflector/shield provided with a generally parabolic inner surface and a generally convex outer surface (FIG. 15, elements 12, 18'a-b, 86a-b) ; and

an ultra-violet lamp so mounted to said reflector/shield that said inner surface of said reflector/shield reflects a portion of ultra-violet radiation emitted by said lamp (FIG. 15 and column 8, line 42-43: a UV lamp indicated in phantom at 82).

Referring to claim 2: wherein said reflector shield is longitudinal and is made of a material that reflects ultra-violet radiation (column 1, line 57-61: quartz or aluminum reflector surfaces).

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Referring to claim 3: wherein said material includes aluminum (column 1, line 57-61: quartz or aluminum reflector surfaces).

Referring to claim 8: wherein said reflector/shield includes at least one internal clip to mount the ultra-violet lamp thereto (FIG. 14, elements 84a-b, 72'a-b, 70').

2. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Nicholson (US 4250390).

Nicholson disclose an ultra-violet lamp system comprising:

a support (FIG. 5);

at least two ultra-violet lamp assemblies (FIG. 1, elements 2-4)

removably mounted to a support; each said at least two ultra-violet lamp assemblies including:

a reflector/shield provided with a generally parabolic inner surface and a generally convex outer surface (FIG. 1, elements 6, 9, 12); and

an ultra-violet lamp (FIG. 1, elements 5, 8, 11) so mounted to said reflector/shield that said inner surface of said reflector/shield reflects a portion of ultra-violet radiation emitted by said lamp.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandellos (US 5861633) in view of Funomoto et al. (US 6108060).

Mandellos discloses the claimed invention as discussed above and also discloses wherein each longitudinal reflector/shield portion is made of a material that reflects ultra-violet radiation and wherein said material includes aluminum (column 1, line 57-61: quartz or aluminum reflector surfaces) (**Referring to claims 6-7**). However, Mandellos does not wherein said reflector/shield is generally L-shaped and wherein said ultra-violet lamp is also L-shaped (**Referring to claim 4**) and wherein said generally L-shaped reflector/shield is mate of two longitudinal reflector/shield portions joined at 45 degrees (**Referring to claim 5**).

Funomoto et al. disclose a device having reflector/shield generally in L-shaped (FIG. 4, elements 23a-b) and a L-shaped lamp (FIG. 4, element 22) and wherein the generally L-shaped reflector/shield is mate of two longitudinal reflector/shield portions joined at 45 degrees (FIG. 4, elements 23a-b) for providing the same intensity of light energy to an object (column 4, line 40-43).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to modify the apparatus disclosed by Mandellos such that the reflector/shield and the lamp are in L-shaped as disclosed by Funomoto et al. The motivation of doing so is to provide the same intensity of light energy to an object as taught by Funomoto et al. (column 4, line 40-43).

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholson (US 4250390) in view of Mandellos (US 5861633).

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Nicholson discloses the claimed invention as discussed above except wherein said reflector/shield is provided with at least one internal clip to mount the ultraviolet lamp thereto and an external clip to mount the ultra-violet lamp assembly to the support.

Mandellos discloses an irradiating apparatus having an ultra-violet assembly (FIG. 15) comprising a reflector/shield (FIG. 15, element 12) provided with at least one internal clip to mount an ultraviolet lamp (FIG. 14, elements 84a-b, 72'a-b, 70') and an external clip to mount the ultra-violet lamp assembly to a support (FIG. 15, elements 34, 34a-b).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to modify the apparatus disclosed by Nicholson such that the reflector/shield is provided with at least one internal clip to mount the ultraviolet lamp and an external clip to mount the ultra-violet lamp assembly to the support as disclosed by Mandellos. The motivation of doing so is to provide a support arrangement that enables end support of elongated lamps having either ceramic or metallic ends as taught by Mandellos (column 3, line 16-19).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM S NGUYEN whose telephone number is (703)305-3342. The examiner can normally be reached on 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEPHEN D. MEIER can be reached on (703)308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

LN

December 7, 2003



HAI PHAM
PRIMARY EXAMINER